

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated February 26, 2008. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-2 and 4-6 stand for consideration in this application, wherein claims 1-2 and 4-6 are being amended.

Additional Amendments

The specification and the Abstract of the Disclosure are being amended. All amendments to the application are fully supported therein. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Formal Objections

Specification

First, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter with respect to the ranges of Component A and Component B recited in claims 4-6. Applicant respectfully disagrees.

37 CFR §1.75(d)(1) sets forth that the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. Under 35 U.S.C. §112, a claim(s) is a part of the specification. The initially submitted claims 4-6 referred to claim 1 which recites that Component A and Component B are $(R^1O)_2-Al-(CH_3-CO-CH_2-CO-O-R^2)$ and $R^3-O-Ti(-X)_3$, respectively, although the initial recitations include typographical errors. The initially submitted claims 4-6 recite that the amount of the Component A, the amount of the Component B, and the total amount of the Component A and Component B are 0.4-4%, 0.2 – 2%, and 0.5-5%, respectively, although the initial recitations include typographical errors. Therefore, Applicant respectfully submits that the ranges of Component A and Component B recited in claims 4-6 were disclosed in the specification as initially submitted. Accordingly, the recitations of claims 4-6 meet the requirements of 37 CFR §1.75 (d)(1).

Second, the disclosure was objected to on the grounds of informalities. As set forth above, the specification is being amended so as to meet the formal requirements of this Examiner. Accordingly, withdrawal of these objections is respectfully requested.

Abstract

The Abstract of the Disclosure was objected to on the grounds of the formulae I and II containing R groups with subscripted numbers. As suggested by the Examiner, the Abstract of the Disclosure is amended as set forth in the substitute Abstract of the Disclosure submitted herewith. Accordingly, withdrawal of this objection is respectfully requested.

Claim

Claims 1 and 4-6 were objected to on the grounds asserted on page 3 of the Office Action. As suggested by the Examiner, claims 1 and 4-6 are being amended. Accordingly, withdrawal of this objection is respectfully requested.

Formal Rejections

Claims 4-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4-6 are being amended so as to meet the requirement under 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of the rejection of claims 4-6 is respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for holding that claims 1-2 are allowed. As set forth above, the objection to claim 1 should be overcome, and therefore, claim 1 and dependent claim 2 must be allowable.

Applicants will point out that the reasons for allowability of the above referenced claims are not limited to the reasons for allowance as set forth in the Office Action.

Prior Art Rejection

35 U.S.C. §103(a) Rejection

Claim 6 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Ichikawa et al. (U.S. Pat. No. 6,284,433).

Claim 6 is being amended so as to have the same preamble as that of claim 1, namely, "a fiber reinforcing antifouling paint or paint base. Claim 1 is not obvious over Ichikawa on the grounds that Ichikawa fails to disclose or suggest the use of fiber as a reinforcing agent in the composition, As such, the reason for allowance of claim 1 are equally applicable here. Claim 1 being allowable, claim 6 must also be allowable.

Conclusion

In light of the Amendments and Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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